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Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

AMERICAN CIVIL LIBERTIES UNION,

Plaintiff,

v.

UNITED STATES IMMIGRATION AND
CUSTOMS ENFORCEMENT, et al.,

Defendants.

CASE NO. 4:23-cv-03450-DMR

DECLARATION OF DAVID M. DEVITO

I, David M. DeVito, declare as follows:

1. I am an Assistant United States Attorney and the attorney of record for Defendants in this action. I submit this declaration in support of the parties' Stipulation to Extend Deadlines filed concurrently herewith. The facts set forth in this declaration are within my personal knowledge or based upon documents and information I have received in the course of this litigation.

2. The parties have agreed to extend Defendants' deadline for filing a supplemental declaration(s) by one week, from July 29, 2024 to August 5, 2024, and Plaintiff's deadline to file a response to the supplemental declaration(s) from August 12, 2024 to August 19, 2024. Defendants request this extension because the agency requires a brief additional time period to complete its review

1 and finalize its submission.

2 3. This is the parties' third request to modify the schedule for this matter. The parties
3 previously stipulated to extend the answer deadline, and to modify the date of the hearing on the parties'
4 cross-motions for summary judgment. *See* ECF Nos. 13, 48-49.

5 4. The requested extension will not affect the schedule for the case because no further
6 schedule has yet been set.

7
8 I declare under penalty of perjury under the laws of the United States that the above is true and
9 accurate to the best of my information, knowledge, and belief. Executed this 26th day of July, 2024, in
10 San Francisco, California.

11 /s/ David M. DeVito
12 DAVID M. DEVITO
13 Assistant United States Attorney
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